UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,966	03/30/2001	Lev Brouk	GRCN001/01US	3909

22434 7590 12/14/2004	EXAMINER	
BEYER WEAVER & THOMAS LLP	ZHONG, CHAD	
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BERKELEY, CA 94704-0778	ART UNIT	PAPER NUMBER
	2152	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/820,966	BROUK ET AL.
		Examiner	**Art Unit**	
		Chad Zhong	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*30 March 2001*</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-79*</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>*1-79*</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>*30 March 2001*</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 4/12/04 5/10/04
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1.   Restriction to one for following inventions is required under 35 U.S.C. 121:

    I.   Claims 1-79, drawn to the sending of messages in a network, classified in class 370, subclass 312.

    II. Claims 80-83, drawn to business methods, classified in class 705, subclass 21.

The inventions are distinct, each from the other because of the following reasons. Invention

II and I are related as subcombinations disclosed as usable together in a single combination. The

subcombinations are distinct from each other if they are shown to be separately usable. In the instant case,

invention I has separate utility such as in a system-lacking the billing aspect of the message system,

particulars, See MPEP § 806.05(d). Also the restriction requirement is based on the

interpretation that every dependent claim is dependent on the preceding independent claim (note

Applicant's claim numbering).

Because these inventions are distinct for the reasons given above and have acquired a

separate status in the art as shown by their different classification, different searches and their

recognized divergent subject matter, and the search required for group I is not required for group

II, restriction for examination purposes as indicated is proper.

During a telephone conversation with Mr. Joseph M. Villeneuve on July 8, 2004 a

provisional election was made with traverse to prosecute the invention of 1, claim 1-79.

Applicant in responding to this Office Action must make affirmation of this election. Claim 80-83

are withdraw from further consideration by examiner, 37 CFR 1. 142(b), as being draw to a

non-elected invention.

DETAILED ACTION

1.   Claims 1-79 are presented for examination.

2.   It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.

3.   The specification is objected to because of the following:

current US patent policy does not permit the use of hyperlinks in the specification. Such links are directed to an Internet site, the contents of which are subject to change without notice. Therefore, the potential for inclusion of new matter would be a constant problem. See page 30, Fig 4, for example. Appropriate correction is required on the entire drawings, specification and appendix.

4.   The use of the trademark Oracle, SAP, PeopleSoft among others have been noted in this application (pg 2, for example). It should be capitalized wherever it appears and be accompanied by the generic terminology. Appropriate correction is required on the entire specification and appendix.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

6.   Claims 1 are rejected under 35 U.S.C. 102(e) as being anticipated by Bowman-Amuah

(hereinafter Bowman), US 2003/0058277.

7.   As per claim 1, Bowman teaches a message routing method, comprising:

        (a) receiving a message;

        (b) determining a route path for delivery of said message to one or more recipient services, said route

path including one or more in-transit services (the lotus service provide this delivering of email messages

as well as determining a route to the receiver); and

        (c) delivering said message to an in-transit service in said route path, wherein said in-transit service

performs an identifiable operation on said message as said message travels from a sending service to a

recipient service (pg 23, [0680]; pg 32, [0911]; pg 36, [1013]; pg 47, [1363]; pg 51, [1499]; in-transit

service can be for example filtering service, wherein the message content is filtered prior to arrival at the

receiver; or the service can be; or in the example of voice mail, an in-transit service is a conversion done

from data stream into audio).

8.   As per claim 2, Bowman teaches the message routing method of claim 1, wherein said message

includes a header element and at least one of a body element and an attachment (pg 141, [3685]).

9.   As per claim 3, Bowman teaches the message routing method of claim 2, wherein said header

element is an extensible markup language header element (pg 24, [0714 - 0715]).

10.   As per claim 4, claim 4 is rejected for the same reasons as rejection to claim 1 above.

11.   As per claim 5, Bowman teaches the message routing method of claim 4, wherein said data

includes extensible markup language data (pg 24, [0714 - 0715]).

12.   As per claim 6, Bowman teaches the message routing method of claim 4, wherein said data

includes text data (pg 61, [1889]).

13.   As per claim 7, Bowman teaches the message routing method of claim 4, wherein said data

includes binary data (pg 59, [1813]).

14.   As per claim 8, Bowman teaches the message routing method of claim 2, wherein said message

further includes routing and route trace elements (pg 4, [0111]; pg 129, [3384]).

15.   As per claim 10, Bowman teaches the message routing method of claim 1, wherein said receiving

includes receiving said message from a party that sends said message on behalf of a sender (pg 21,

[0629]; pg 34, [0955], [0956]).

16.   As per claim 11, Bowman teaches the message routing method of claim 2, wherein said

determining is based on a reference to a service identified in said header element (pg 28, [0783]; pg 44,

[1280]; pg 141, [3685]).

17.   As per claim 12, Bowman teaches the message routing method of claim 1, wherein said

determining is based on at least one routing script (pg 24, [0711]; pg 27, [0758]).

18.   As per claim 13, Bowman teaches the message routing method of claim 12, wherein said

determining is based on a routing script defined by a sending service (pg 24, [0711]; pg 27, [0758]).

19.   As per claim 14, Bowman teaches the message routing method of claim 12, wherein said

determining is based on a routing script defined by a recipient service (pg 65, [1978]; pg 74, [2226]).

20.   As per claim 15, Bowman teaches the message routing method of claim 12, wherein said

determining is based on a routing script defined by an in-transit service (pg 66, [1990]; pg 29, [0821]; pg

64, [1958]).

21.   As per claim 16, Bowman teaches the message routing method of claim 12, wherein said

determining is based on routing scripts defined by a sending service, a recipient service, and at least one

in-transit service (pg 66, [2002-2003]).

22.   As per claim 17, Bowman teaches the message routing method of claim 12, wherein said

determining is recursive (pg 115, [3118], [3112]).

23.   As per claim 18, Bowman teaches the message routing method of claim 12, wherein said

determining occurs prior to physical delivery of said message (pg 117, [3157]; pg 119, [3199]; pg 123,

[3287]; pg 38, [1077]).

24.   As per claim 19, Bowman teaches the message routing method of claim 12, wherein said

determining occurs dynamically during logical and physical delivery of said message (pg 73, [2193]).

25.   As per claim 20, Bowman teaches the message routing method of claim 12, wherein a routing

script defines a procedure that determines an existence of one or more attributes of the message (pg 126,

[3325-3326]).

26.   As per claim 21, Bowman teaches the message routing method of claim 12, wherein a routing

script defines a procedure based on pattern matching (pg 126, [3327], [3332-3333]; pg 127, [3346]).

27.   As per claim 22, Bowman teaches the message routing method of claim 12, wherein a routing

script defines a procedure that compares one or more attributes of a message to a reference value (pg 162,

[4128]; pg 39, [1130]; pg 54, [1640]).

28.   As per claim 23, Bowman teaches the message routing method of claim 12, wherein a routing

script is based on a routing rule, said routing rule including a condition and one or more actions (pg 36,

[1013]; pg 32, [0911]; pg 23, [0680]; pg 51, [1502-1504]).

29.   As per claim 24, Bowman teaches the message routing method of claim 23, wherein said

condition is one of an equals, not-equals, equals-one-of, less-than, greather-than, and exists operators (pg

57, [1725]).

30.   As per claim 25, Bowman teaches the message routing method of claim 23, wherein said

condition is a combination of one or more conditions (pg 162, [4118]; pg 164, [4192]; pg 114, [3107]).

31.   As per claim 26, Bowman teaches the message routing method of claim 25, wherein said one or

more conditions are combined using one or more of an AND, OR, XOR, and NOT operators (pg 151).

32.   As per claim 27, Bowman teaches the message routing method of claim 1, wherein said

delivering includes pushing said message to said in-transit service (pg 70, [2129]; pg 104, [2909]).

33.   As per claim 28, Bowman teaches the message routing method of claim 1, wherein said

delivering includes delivering said message upon a polling action by said in-transit service (pg 70, [2129];

pg 156, [3987]).

34.   As per claim 29, Bowman teaches the message routing method of claim 1, wherein said

delivering includes delivering said message to said in-transit service for one of a data transformation

operation, an enrichment operation, a cross-reference id mapping operation, a filtering operation, and a

credit scoring operation (pg 120, [3207], [3212-3219]).

35.   As per claim 30, Bowman teaches the message routing method of claim 1, further comprising

logging usage, status, and billing information after processing said message (pg 62, [1920]; pg 66, [2003];

pg 53, [1571]; pg 2, [0059]).

36.   As per claim 31, claim 31 is rejected for the same reasons as rejection to claim 18 above.

37.   As per claim 32-48, claims 32-48 are rejected for the same reasons as rejection to claims 1, 19,

12-26 above respectively.

38.   As per claim 49, Bowman teaches the message routing system of claim 32, wherein said message

routing network provides a transport level messaging service (pg 44, [1276]).

39.   As per claim 50-51, claims 50-51 are rejected for the same reasons as rejection to claims 18 and 1

above respectively.

40.   As per claim 52, Bowman teaches a message routing network method, comprising:

    (a) receiving a registration request from a service for inclusion in a message routing network, said

service being operative to provide a data operation (pg 37, [0059]).

As for the remainder of claim 52, the remainder of claim 52 are rejected for the same reasons as rejection

to combination of claims 1 and 2 above respectively.

41.   As per claim 53, Bowman teaches the message routing network method of claim 52, wherein said

service provides a data transformation service (pg 28, [0785]; pg 27, [0756]).

42.   As per claim 54, Bowman teaches the message routing network method of claim 52, wherein said

service provides a data enrichment service (pg 27, [0756]; pg 28, [0785]).

43.   As per claim 55, Bowman teaches the message routing network method of claim 52, wherein said

service provides a cross-reference service (pg 77, [2289]; pg 78, [2295]; pg 116, [3131]; pg 117, [3137];

pg 133, [3472]; pg 120, [3222]).

44.   As per claim 56, claim 56 is rejected for the same reasons as rejection to claim 29 above.

45.   As per claim 57, Bowman teaches the message routing network method of claim 52, wherein said

service provides a credit scoring service (pg 120, [3223]).

46.   As per claim 58, Bowman teaches the message routing network method of claim 52, wherein a service is selected from said directory of services by a sending service (pg 50, [1467]; pg 71, [2145]).

47.   As per claim 59, Bowman teaches the message routing network method of claim 52, wherein a service is selected from said directory of services by a recipient service (pg 59, [1790], [1818]).

48.   As per claim 60, Bowman teaches the message routing network method of claim 52, wherein a service is selected from said directory of service engines by an in-transit service (pg 45, [1294]; pg 70, [2122]).

49.   As per claim 61, claim 61 is rejected for the same reasons as rejection to claim 16 above. Further, the portion of claim 61 which states "said script mapping an invocation of a first service to an invocation of a second service, wherein contexts of said invocations are managed by said message routing network", is taught by Bowman on the following sections (pg 5, [0164]; pg 127, [3346]; pg 139, [3635]; pg 149, [3821]).

50.   As per claim 62, claim 62 is rejected for the same reasons as rejection to claim 12 above.

51.   As per claim 63, claim 63 is rejected for the same reasons as rejection to combination of claims 1 and 2 above.

52.   As per claim 64, Bowman teaches a message routing system, comprising: a message routing network having an interface that enables a plurality of services to post messages to and receive messages from said message routing network, at least a portion of said plurality of services providing a menu of data operations that can be selectively applied to a message traversing said message routing network (pg

27, [0769], [0774]; pg 109, [3019]).

53.   As per claim 65, claim 65 is rejected for the same reasons as rejection to claim 49 above.

54.   As per claim 66, Bowman teaches the message routing system of claim 65, wherein said message routing network is implemented on a public network (pg 48, [1397]).

55.   As per claim 67-74, 76-77, claims 67-74, and 76-77 are rejected for the same reasons as rejection to claims 53-55, 29, 57-60, 12, and 61 above respectively

56.   As per claim 78, claim 78 is rejected for the same reasons as rejection to combination of claims 1 and 2 above.

57.   As per claim 79, claim 79 is rejected for the same reasons as rejection to claim 58 above.

Claim Rejections - 35 USC § 103

58.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

59.   Claims 9 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman-Amuah (hereinafter Bowman), US 2003/0058277, in view of 'Official Notice'.

60.   As per claim 9 and 75, Bowman does not explicitly teaches the message routing system of claim 64, wherein said interface uses the simple object access protocol (SOAP). "Official Notice" is taken that the concept and advantages of providing for SOAP is well known and expected in the art. It would have

been obvious to one of ordinary skill in the art to include SOAP with Bowman because it would provide

for means of communication between nodes on the network.

Conclusion

61.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

"System and method for routing messages between applications".

i.	US 6529489	Kikuchi et al.
ii.	US 5255389	Wang
iii.	US 5333312	Wang
iv.	US 6091714	Sensel et al.

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be

reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John

A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this

application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238

for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the receptionist whose telephone number is 703-305-3900.

FRANTZ B. JEAN
PRIMARY EXAMINER

CZ
July 8, 2004